

SENATE BILL 1681

By Herron

AN ACT to amend Tennessee Code Annotated, Title 4,  
Chapter 34, relative to recognition of Native  
American Indian tribes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 34, is amended by adding Sections 2 through 4 of this act as a new Part 3 thereto.

SECTION 2. The purpose of this act is to extend tribal recognition to those Indian-descended groups that have functioned in specific ways over time.

SECTION 3. The commissioner of environment and conservation shall have the authority to approve petitions for tribal recognition in this state. All petitions for tribal recognition must:

(1) Show that the group's members have retained a specifically Indian identity through time;

(2) Demonstrate descent from historical Indian groups that lived within the United States at the time of such group's first contact with Europeans;

(3) Trace the group's continued existence from first contact with Europeans to the present;

(4) Provide a complete genealogy of the current group members, traced as far back as possible;

(5) Show how the group has been culturally distinct from other cultural groups;

(6) Provide evidence of contemporary formal organization, with full membership limited to persons genealogically descended from historic tribes; and

(7) Declare that neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden a federal Indian relationship.

SECTION 4. Upon a determination of tribal recognition and upon payment of a fee set by the commissioner, the department shall issue each eligible member of such tribe an identification card. The tribal identification card may have substantially the same content as a driver license. Such cards shall not expire. Such cards may be replaced upon payment of a fee as set by the commissioner. Such cards shall have printed prominently thereon a statement indicating that the person is a qualified member of the tribe to which the commissioner has granted recognition.

SECTION 5. The general assembly hereby finds and declares that the Cherokee Wolf Clan is a tribe that should be recognized by the state of Tennessee. The Cherokee Wolf Clan, comprised of Cherokee, Chickamauga, Shawnee, Choctaw, Blackfoot, and various other tribes, is governed by a formal constitution, with a Principal Chief, a Cabinet, a Tribal Council, and a Tribal Court. All members of the Cherokee Wolf Clan, upon submission of a satisfactory application and proof of identity, shall be issued a tribal identification card.

SECTION 6. The commissioner of environment and conservation is authorized to promulgate rules and regulations pursuant to title 4, chapter 5, to effectuate the purposes of this act.

SECTION 7. For the purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2008, the public welfare requiring it.